



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: 2 March 2006
Comment Deadline: 31 March 2006
Corps Action ID #: 200531812

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: Martin Marietta Aggregates
Charlotte District
Attn: Brian North
Post Office Box 7446
Charlotte, North Carolina 28241-7446

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to Section 404 of the Clean Water Act.

Location

The property is located on the east side of Weddington Road, approximately 1 mile north of Speedway Boulevard, in Concord, Cabarrus County, North Carolina (35.3794°N, -80.6944°W) and is approximately 278 acres in size. The site contains wetlands and stream channels with indicators of ordinary high water marks. The stream channels on the property are unnamed tributaries to Rocky River. Rocky River ultimately flows into the Yadkin Pee-Dee River system, which then flows to the Atlantic Ocean via Winyah Bay in South Carolina.

Existing Site Conditions

The property is currently known as Bonds Quarry and is an active granite mining operation. The proposed impact area is located immediately north of the active quarry and contains two unnamed tributaries. The stream channels originate on or near the property and are considered headwater stream channels. The proposed impact area is completely forested with surrounding

commercial development. Stream Channel A is considered perennial and is approximately 5400 linear feet in length. The upper portion of Stream Channel A is considered to be stable due to bedrock controls. The upper portion exhibits moderate sinuosity, little to no signs of bank erosion, presence of riffle/pool complexes, and a sand/bedrock substrate. Below the confluence of Stream Channel B, Stream Channel A becomes extremely entrenched, exhibits signs of severe bank erosion, and becomes intermittent as it passes through the active quarry site. Stream Channel B is considered an intermittent stream channel and is approximately 400 linear feet in length. The headwaters of Stream Channel B begin in a commercial development on the west side of Weddington Road, which has recently been logged. The majority of Stream Channel B is severely entrenched, contains vertical banks, and lacks sinuosity. The site also contains a large wetland area located near the confluence of Stream Channel A and the Rocky River. This area has been artificially created by maintenance activities associated with the quarry. A majority of the wetland is herbaceous in the power line right of way and a portion is forested adjacent to the Rocky River. The NRCS Soil Survey of Cabarrus County, North Carolina maps the following soils on this site: Poindexter loam, Enon sandy loam, Cullen clay loam, and Wehadkee.

Applicant's Stated Purpose

The purpose of the proposed work is to relocate existing stream channels in order to expand quarry operations to meet growing economic demands.

Project Description

The applicant is proposing to relocate a total of 5,100 linear feet of stream channel in order to access existing granite reserves. Approximately 4,700 linear feet of Stream Channel A and the entire length (400 feet) of Stream Channel B will be relocated as a result of the project. The applicant is proposing to relocate stream channels according to natural channel design techniques. The applicant is proposing to utilize the stream channel relocations as mitigation for proposed impacts due to the anticipated improvement in water quality and overall stream channel morphology.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the

application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms. Cyndi Karoly by March 31, 2006.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

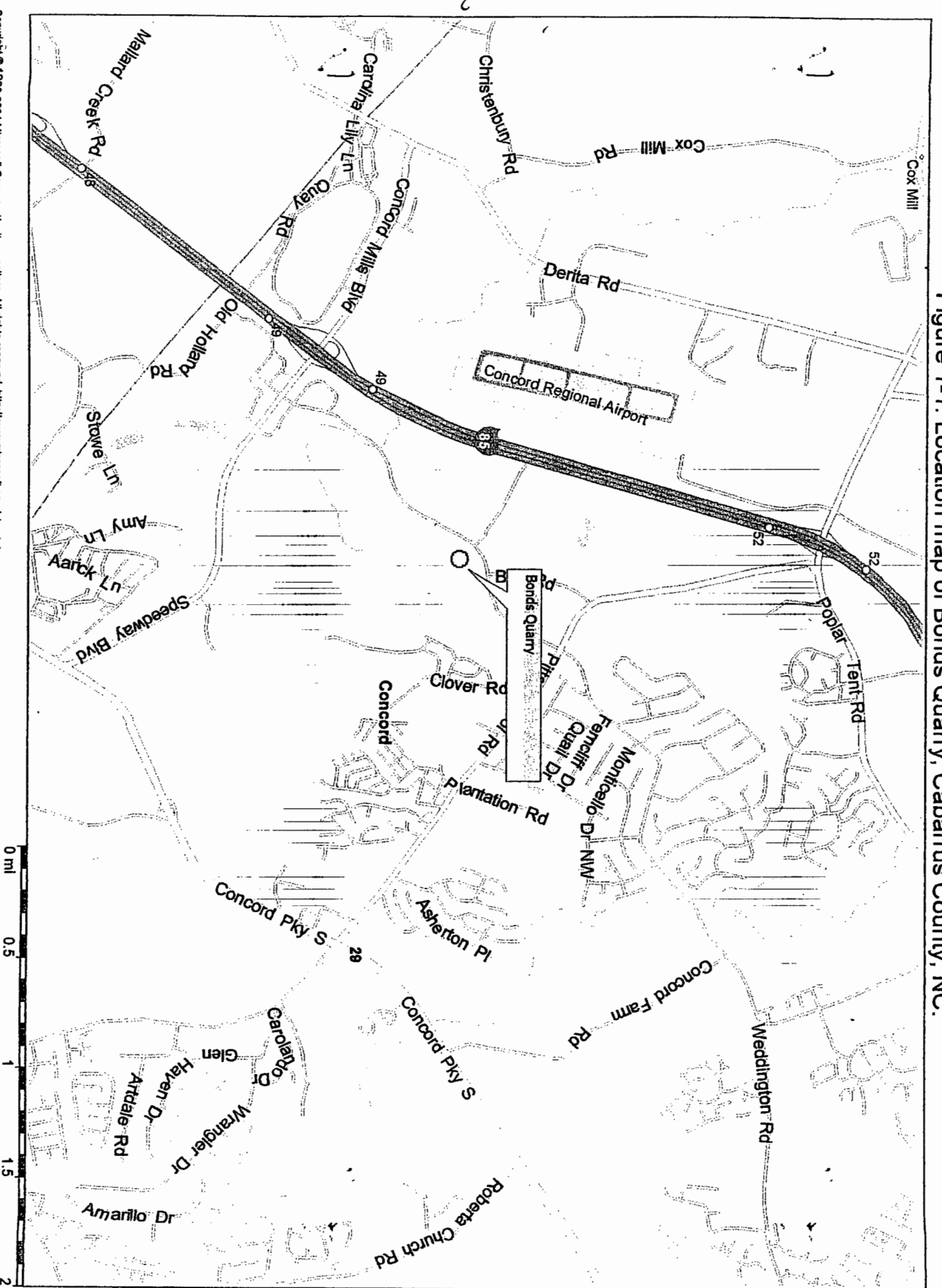
The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine

whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

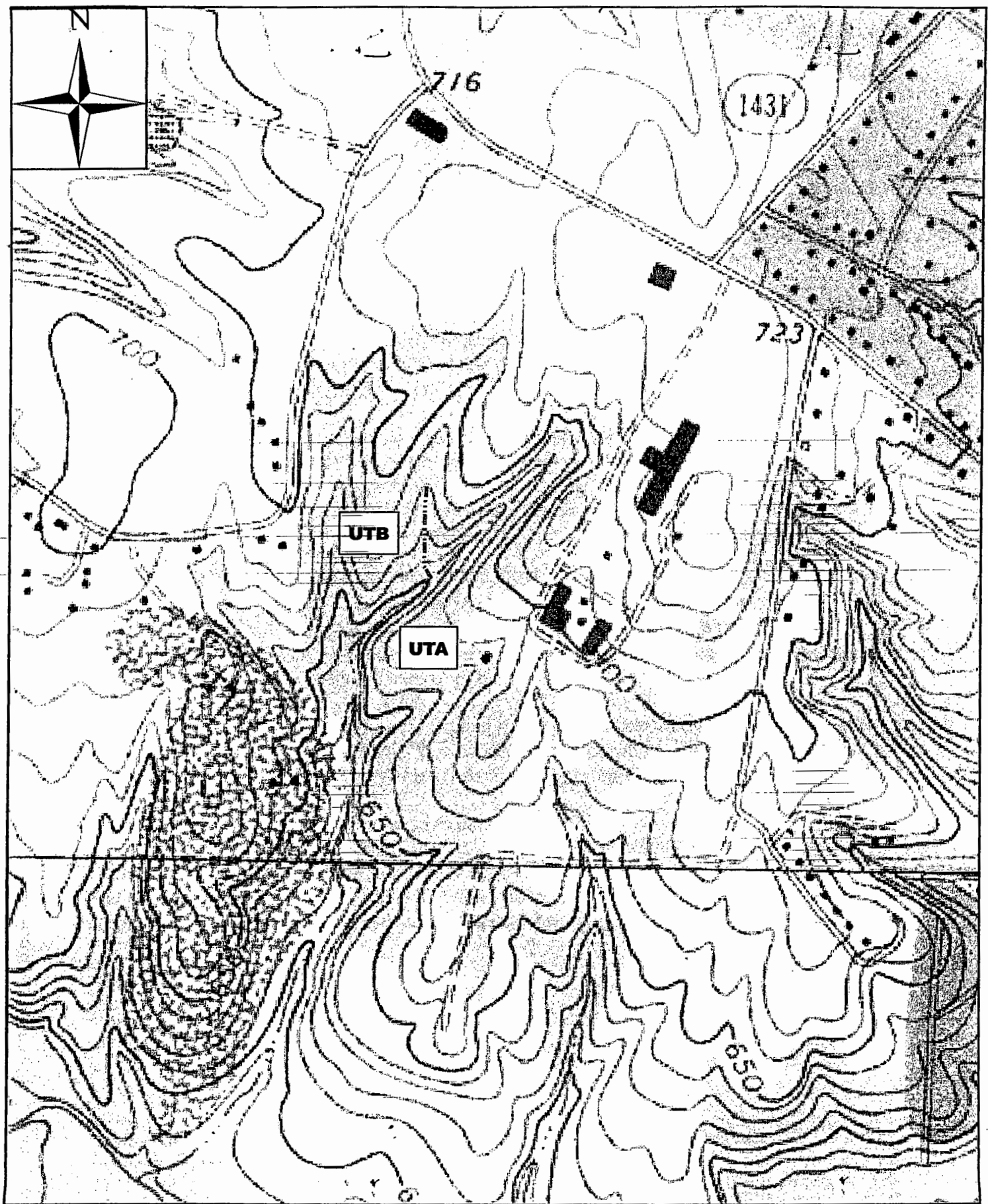
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, March 31, 2006. Comments should be submitted to Ms. Amanda Jones, 151 Patton Avenue, Room 208, Asheville, NC 28801.

Figure 1-1. Location map of Bonds Quarry, Cabarrus County, NC.

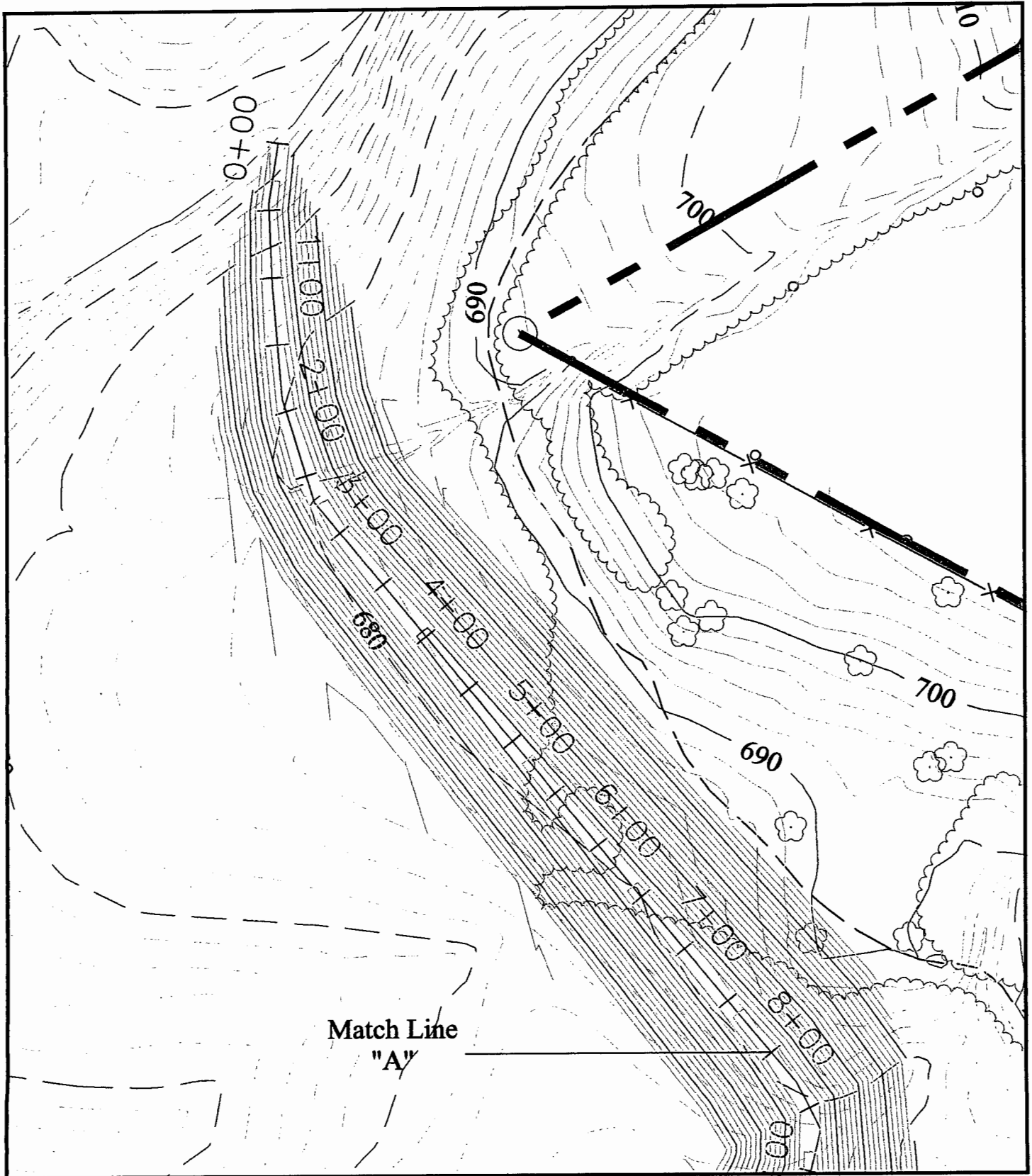


ATD 200531812

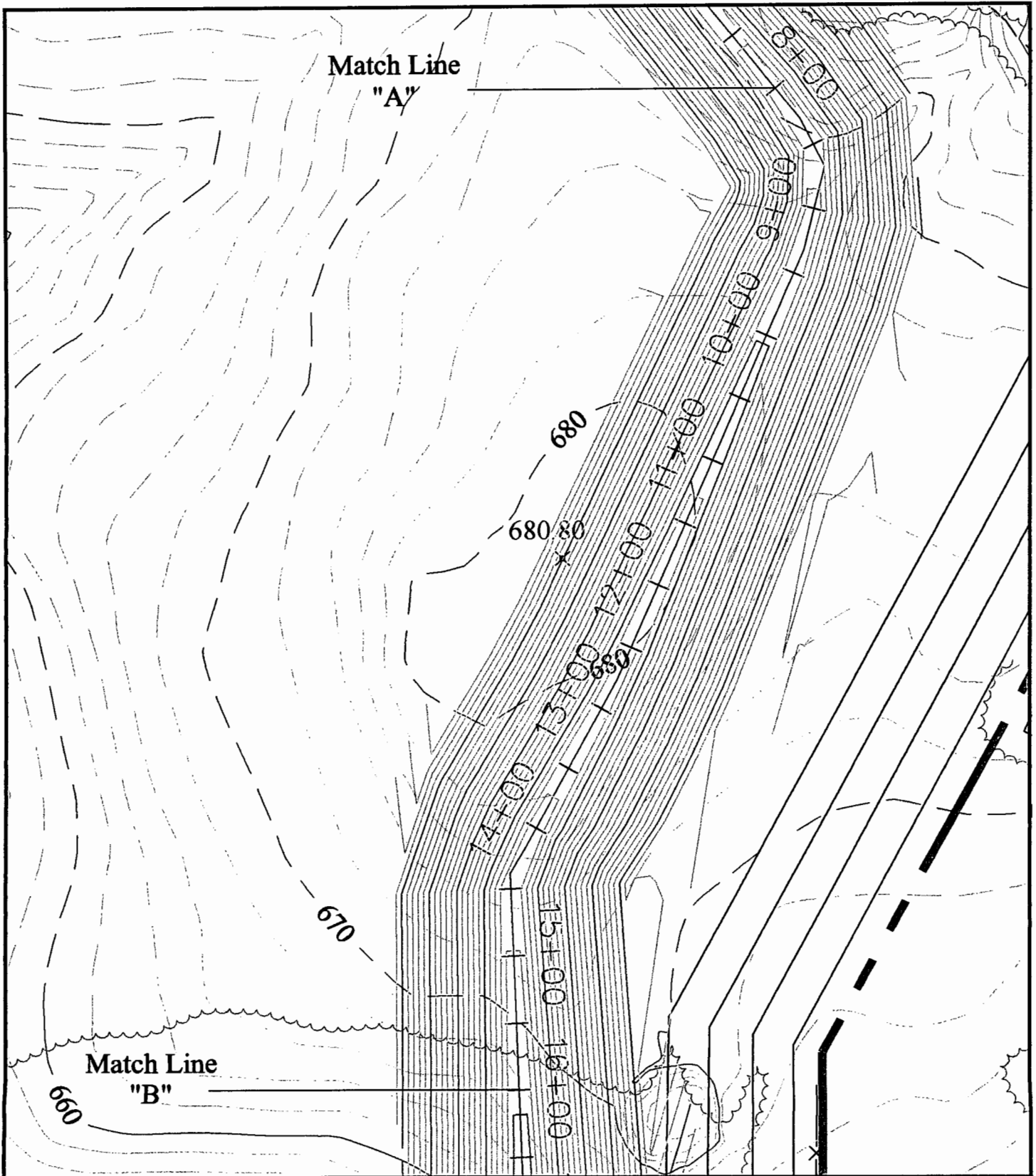


AID 200531812

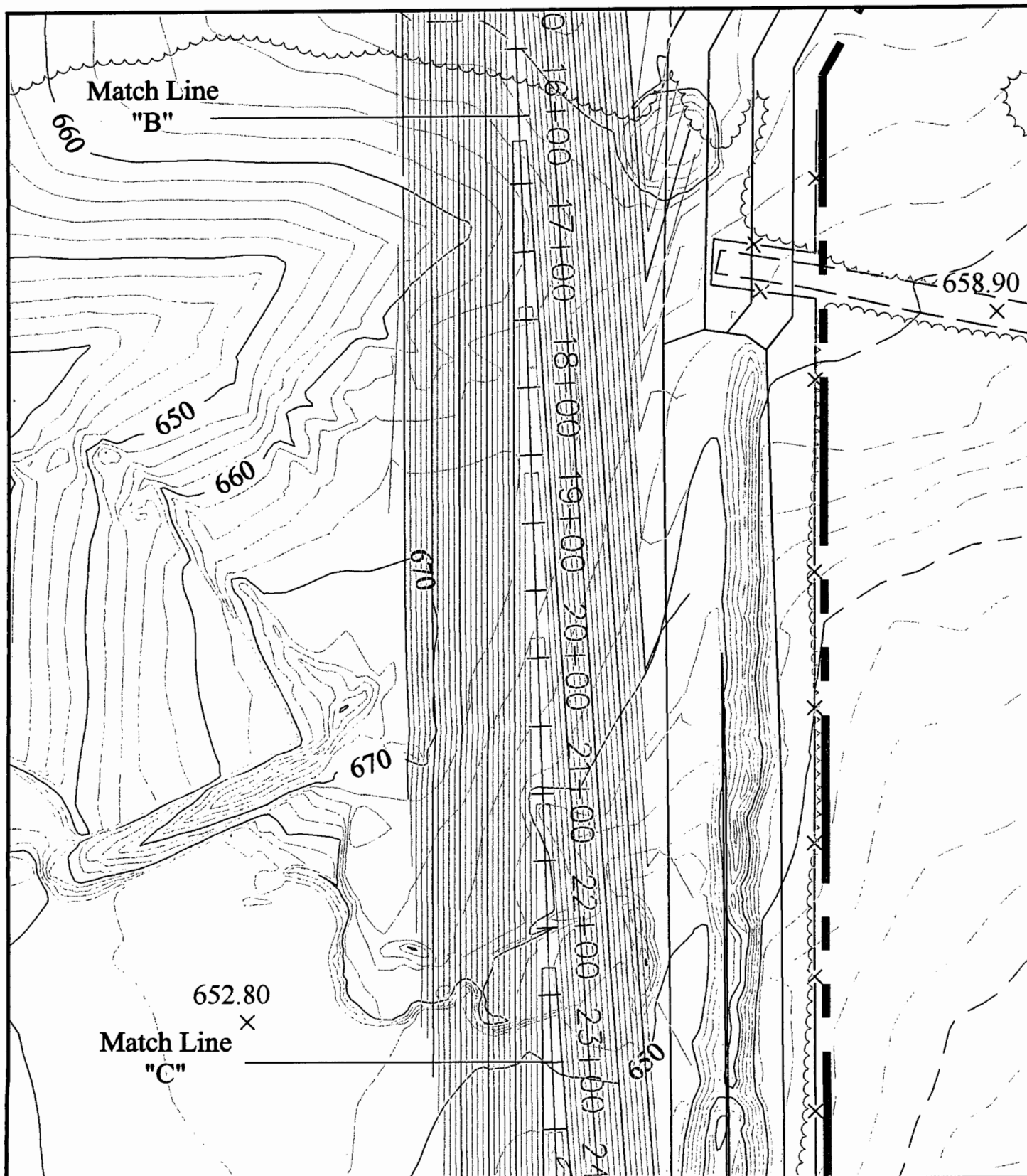
Figure 1-2. Location of Unnamed Tributary A and Unnamed Tributary B on Bonds Quarry, Cabarrus County, NC.



ADD 200531812



ATD 200531812



ADD 200531812

652.80
X
Match Line
"C"

650

646.60
X

650

650

650

650

640

640

630

650

660

610

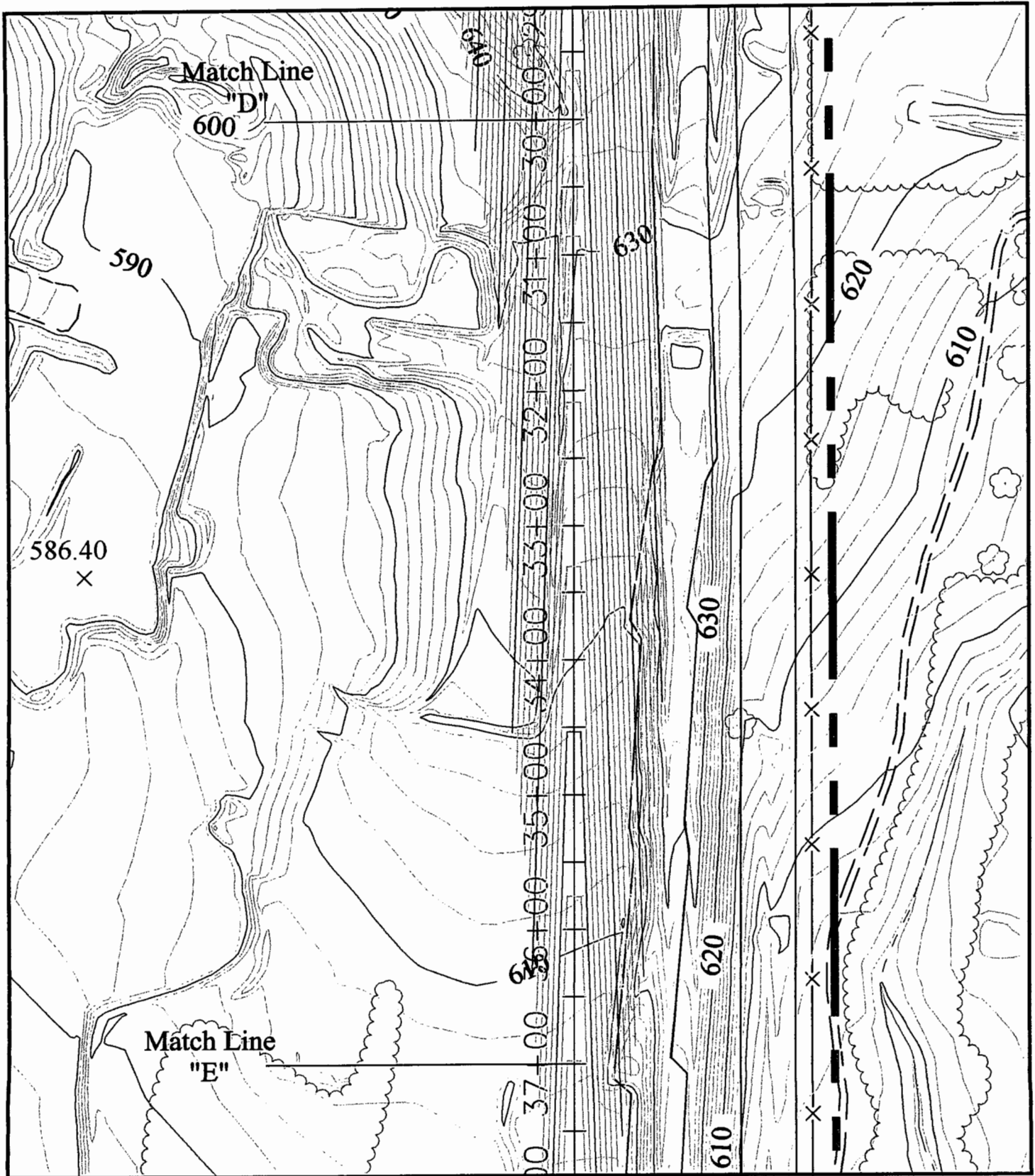
620

630

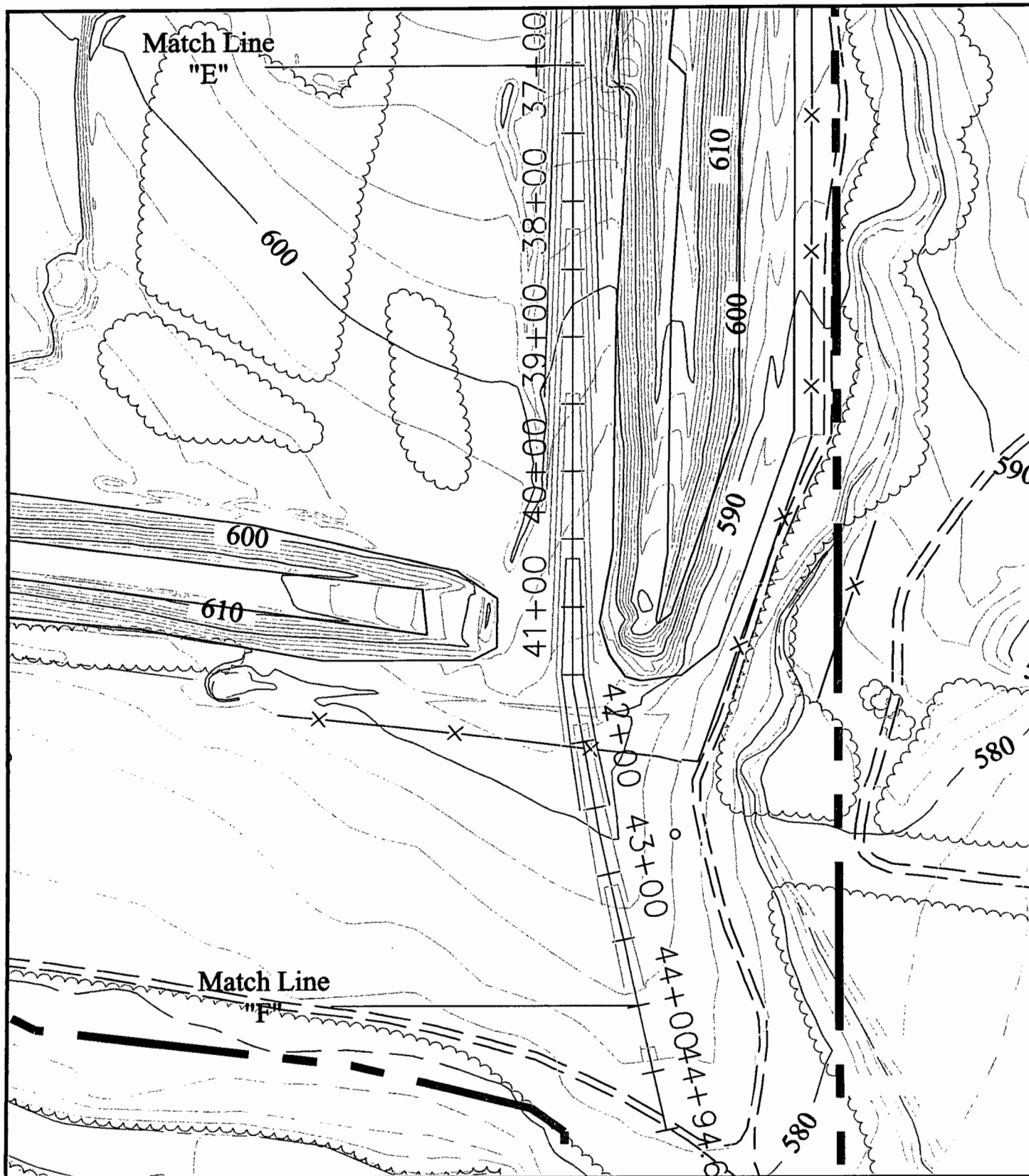
640

Match Line
"D"
600

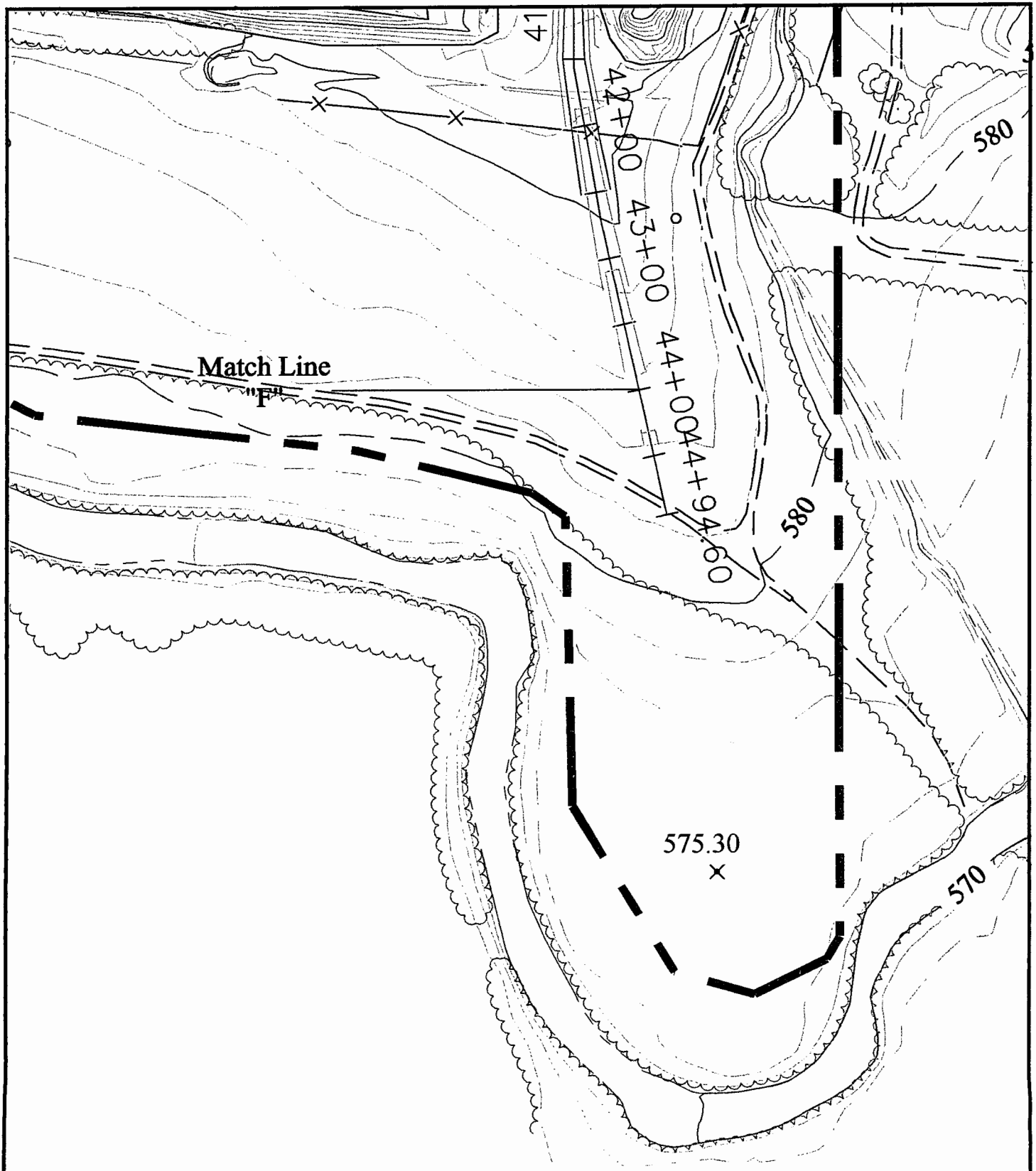
AID 200531812



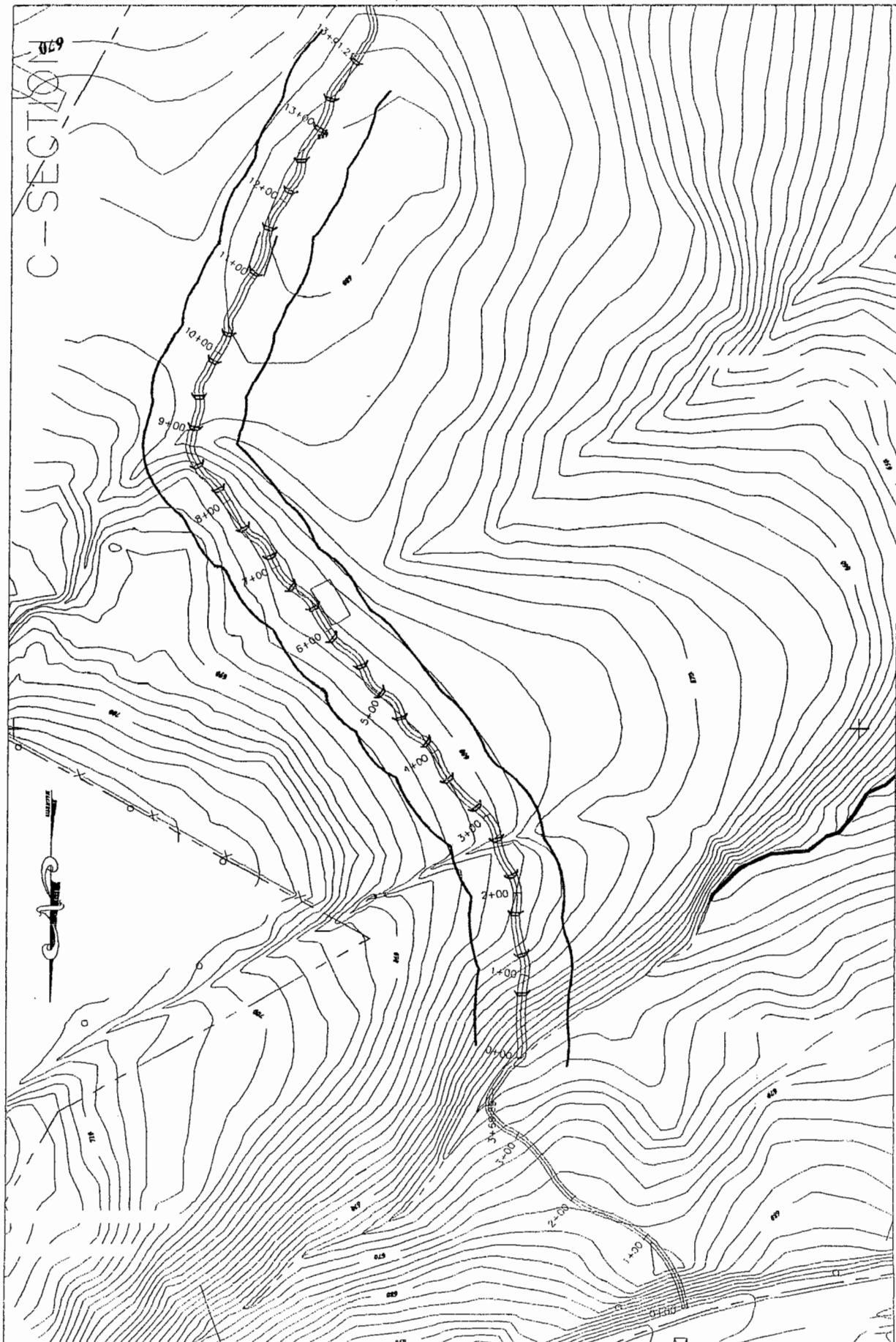
AID 200531812



AID 200531812



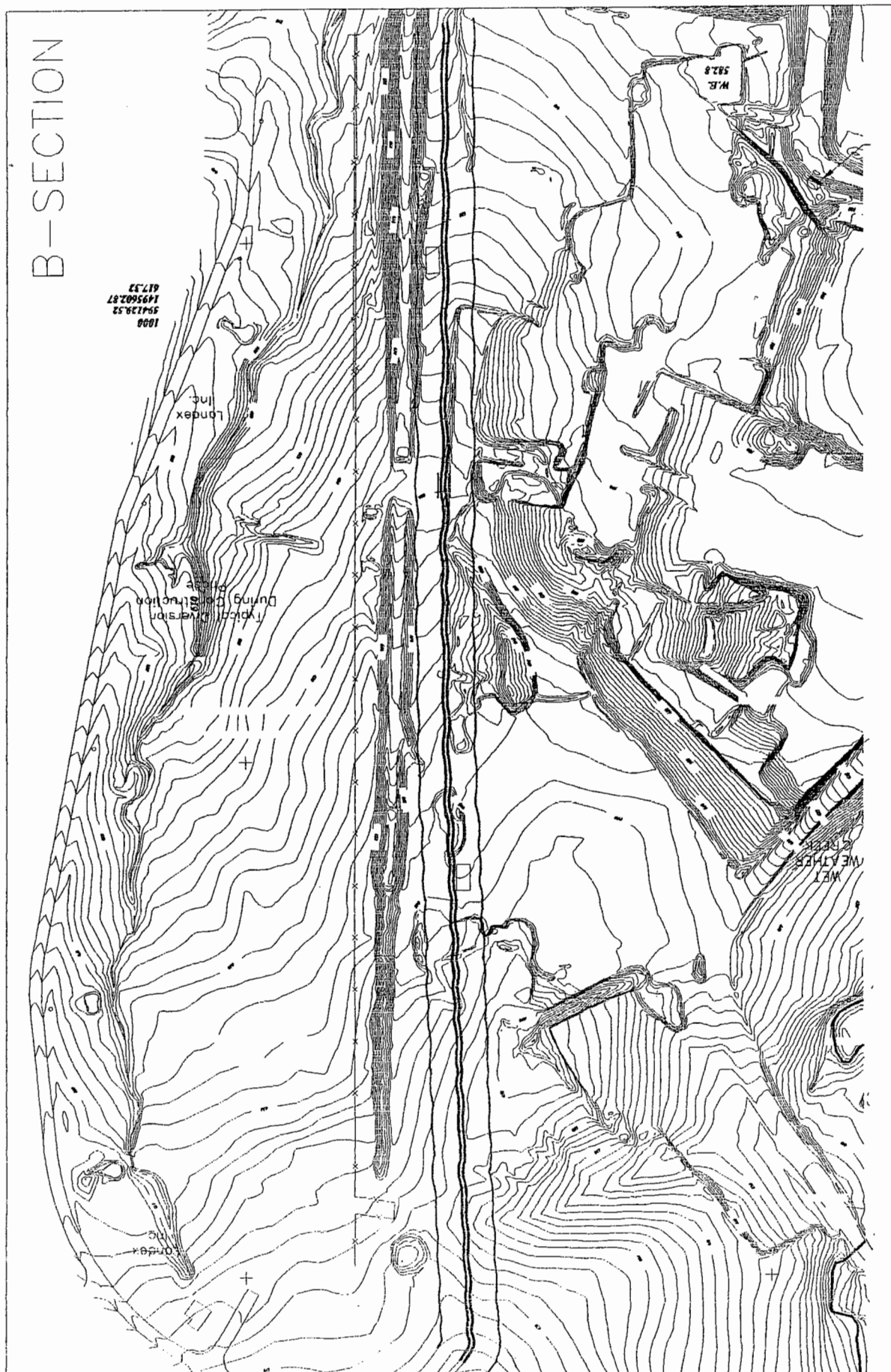
AID 2005318/2

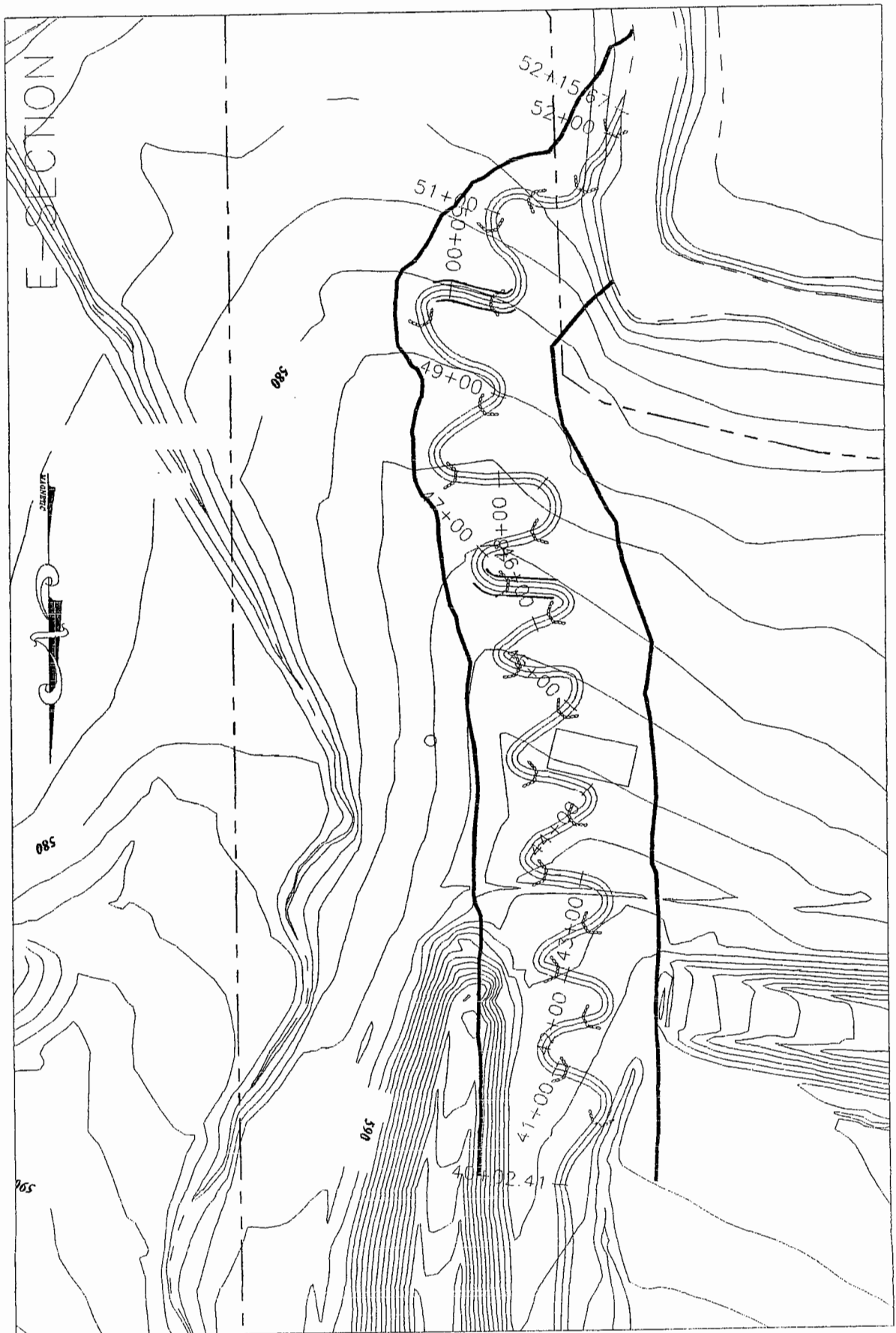


ADD 200531812

ATD 200531812

B-SECTION





ADD 200531812